

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

JANET A. DAWSON  
a.k.a. JANET A. DOROH  
8612 Stiras Way  
Paradise, CA 95969

Registered Nurse License No. 314726  
Public Health Nurse Certificate No. 72760

Respondent

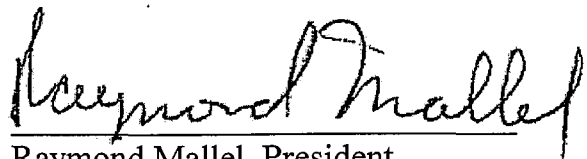
Case No. 2013-172

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **March 7, 2013.**

IT IS SO ORDERED **March 7, 2013.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 ANAHITA S. CRAWFORD  
Deputy Attorney General  
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7 *Attorneys for Complainant*

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9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-172

13 **JANET A. DAWSON, A.K.A.**  
14 **JANET A. DOROH**  
15 **8612 Stiras Way**  
16 **Paradise, CA 95969**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

17 **Registered Nurse License No. 314726**

18 **Public Health Nurse Certificate No. 72760**

19 Respondent.

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
21 proceeding that the following matters are true:

22 PARTIES

23 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
24 Registered Nursing. She brought this action solely in her official capacity and is represented in  
25 this matter by Kamala D. Harris, Attorney General of the State of California, by Anahita S.  
26 Crawford, Deputy Attorney General.

27 2. Janet A. Dawson, also known as Janet A. Doroh ("Respondent") is represented in this  
28 proceeding by attorney Randy J. Harvey whose address is 1200 Executive Parkway, Suite 320,  
Eugene, Oregon 97401.

1           **Registered Nurse License**

2           3.     On or about March 31, 1980, the Board issued Registered Nurse License Number  
3     314726 to Janet A. Dawson, also known as Janet A. Doroh. The registered nurse license expired  
4     on May 31, 2011, and has not been renewed.

5           **Public Health Nurse Certificate**

6           4.     On or about January 16, 2008, the Board issued Public Health Nurse Certificate  
7     Number 72760 to Respondent. The public health nurse certificate expired on May 31, 2011, and  
8     has not been renewed.

9                               **JURISDICTION**

10          5.     Accusation No. 2013-172 was filed before the Board of Registered Nursing (Board),  
11     Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
12     and all other statutorily required documents were properly served on Respondent on September 7,  
13     2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of  
14     Accusation No. 2013-172 is attached as Exhibit A and incorporated by reference.

15                               **ADVISEMENT AND WAIVERS**

16          6.     Respondent has carefully read, fully discussed with counsel, and understands the  
17     charges and allegations in Accusation No. 2013-172. Respondent also has carefully read, fully  
18     discussed with counsel, and understands the effects of this Stipulated Surrender of License and  
19     Order.

20          7.     Respondent is fully aware of her legal rights in this matter, including the right to a  
21     hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
22     her own expense; the right to confront and cross-examine the witnesses against her; the right to  
23     present evidence and to testify on her own behalf; the right to the issuance of subpoenas to  
24     compel the attendance of witnesses and the production of documents; the right to reconsideration  
25     and court review of an adverse decision; and all other rights accorded by the California  
26     Administrative Procedure Act and other applicable laws.

27          8.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
28     every right set forth above.

1 CULPABILITY

2 9. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 2013-172, agrees that cause exists for discipline and hereby surrenders her Registered Nurse  
4 License No. 314726 and her Public Health Nurse Certificate No. 72760 for the Board's formal  
5 acceptance.

6 10. Respondent understands that by signing this stipulation she enables the Board to issue  
7 an order accepting the surrender of her Registered Nurse License without further process.

8 CONTINGENCY

9 11. This stipulation shall be subject to approval by the Board of Registered Nursing.  
10 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
11 Registered Nursing may communicate directly with the Board regarding this stipulation and  
12 surrender, without notice to or participation by Respondent or her counsel. By signing the  
13 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek  
14 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
15 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary  
16 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
17 action between the parties, and the Board shall not be disqualified from further action by having  
18 considered this matter.

19 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
20 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
21 the originals.

22 13. This Stipulated Surrender of License and Order is intended by the parties to be an  
23 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
24 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
25 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
26 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
27 executed by an authorized representative of each of the parties.

28 //

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

**ORDER**

IT IS HEREBY ORDERED that Registered Nurse License No. 314726 and Public Health Nurse Certificate No. 72760, issued to Respondent Janet A. Dawson, also known as Janet A. Doroh, is surrendered and accepted by the Board of Registered Nursing.

1. The surrender of Respondent's Registered Nurse License and Public Health Nurse Certificate and the acceptance of the surrendered license and certificate by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Registered Nursing.

2. Respondent shall lose all rights and privileges as a Registered Nurse and Public Health Nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2013-172 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If and when Respondent's license or certificate is reinstated or re-issued, she shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$3,419.25. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license or certificate.

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6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 2013-172 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Randy J. Harvey. I understand the stipulation and the effect it will have on my Registered Nurse License and Public Health Nurse Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED:

11-27-2012

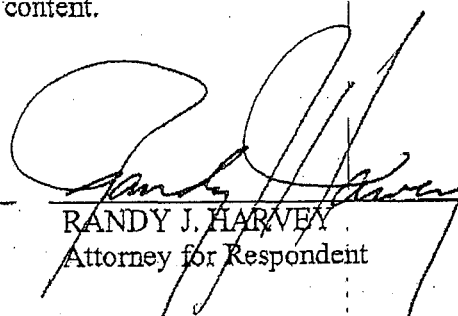


JANET A. DAWSON, a.k.a JANET A. DOROH  
Respondent

I have read and fully discussed with Respondent Janet A. Dawson, also known as Janet A. Doroh, the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

11.28.2012



RANDY J. HARVEY  
Attorney for Respondent

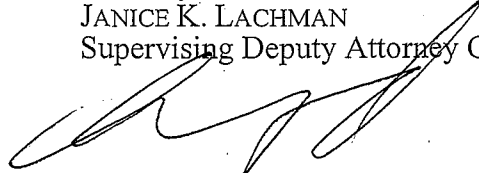
ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 12/19/12

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
JANICE K. LACHMAN  
Supervising Deputy Attorney General



ANAHITA S. CRAWFORD  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 2013-172**



1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 ANAHITA S. CRAWFORD  
Deputy Attorney General  
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16 **Paradise, CA 95969**

**A C C U S A T I O N**

17 **Registered Nurse License No. 314726**

18 **Public Health Nurse Certificate No. 72760**

19 **Respondent.**

20 **Complainant alleges:**

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
23 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
24 Department of Consumer Affairs.

25 **Registered Nurse License**

26 2. On or about March 31, 1980, the Board issued Registered Nurse License Number  
27 314726 to Janet A. Dawson, also known as Janet A. Doroh ("Respondent"). The registered nurse  
28 license expired on March 31, 2011, and has not been renewed.

///

///

1       **Public Health Nurse Certificate**

2       3.     On or about January 16, 2008, the Board issued Public Health Nurse Certificate  
3     Number 72760 to Respondent. The public health nurse certificate expired on May 31, 2011, and  
4     has not been renewed.

5                               **STATUTORY PROVISIONS**

6       4.     Section 2750 of the Business and Professions Code ("Code") provides, in pertinent  
7     part, that the Board may discipline any licensee, including a licensee holding a temporary or an  
8     inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of  
9     the Nursing Practice Act.

10      5.     Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
11     deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
12     to render a decision imposing discipline on the license. Under Code section 2811, subdivision  
13     (b), the Board may renew an expired license at any time within eight years after the expiration.

14      6.     Code section 2761 states, in pertinent part:

15                 The board may take disciplinary action against a certified or licensed  
16     nurse or deny an application for a certificate or license for any of the following:

17                 (a) Unprofessional conduct....,

18                 (d) Violating or attempting to violate, directly or indirectly, or assisting  
19     in or abetting the violating of, or conspiring to violate any provision or term of this  
20     chapter or regulations adopted pursuant to it.

21      7.     Code section 2762 states, in pertinent part:

22                 In addition to other acts constituting unprofessional conduct within the  
23     meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a  
24     person licensed under this chapter to do any of the following:

25                 (a) Obtain or possess in violation of law, or prescribe, or except as  
26     directed by a licensed physician and surgeon, dentist, or podiatrist administer to  
27     himself or herself, or furnish or administer to another, any controlled substance as  
28     defined in Division 10 (commencing with Section 11000) of the Health and Safety  
   Code or any dangerous drug or dangerous device as defined in Section 4022.

26     ///

27     ///

28     ///

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

8. Code section 4022 states:

"Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.

(b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a \_\_\_\_\_," "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

9. Code section 4060 states, in pertinent part:

No person shall possess any controlled substance, except that furnished to a person upon the prescription of a physician, dentist, podiatrist, or veterinarian.

10. Health and Safety Code section 11173, subdivision (a) states:

No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by concealment of a material fact.

### COST RECOVERY

11. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

### **DRUGS**

12. "Demerol" is a trade name for meperidine hydrochloride, a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (c)(17), and a dangerous drug pursuant to Code section 4022, in that under federal and state law it requires a prescription.

1           13.    **"Tramadol"** is the generic name for Rybix ODT, Ryzolt, and Ultram and is a  
2 dangerous drug within the meaning of Business and Professions Code section 4022, in that it  
3 requires a prescription under federal law. It is a narcotic-like pain reliever used for treatment of  
4 moderate to severe pain.

5           14.    **"Fentanyl"** is a Schedule II controlled substance pursuant to Health and Safety  
6 Code section 11055, subdivision (c)(8), and a dangerous drug pursuant to Code section 4022, in  
7 that under federal and state law it requires a prescription.

8                                   **RESPONDENT'S TERMINATION**  
9                                   **FROM BOARD'S DIVERSION PROGRAM**

10           15.    On or about May 30, 2006, Respondent obtained Demerol from Feather River  
11 Hospital, Paradise, California, where she was employed. She was placed on leave from her  
12 employment. On June 19, 2006, Respondent entered the Board's diversion program. On or about  
13 October 11, 2006, Respondent tested positive for Tramadol. On or about November 22, 2006,  
14 Respondent entered Feather River Hospital and attempted to obtain controlled substances from a  
15 sharps container. Her employment was terminated on December 4, 2006. On or about December  
16 22, 2006, Respondent entered Feather River Hospital and attempted to obtain controlled  
17 substances from a sharps container. On July 6, 2010, Respondent tested positive for Fentanyl.  
18 Respondent was terminated from the Board's diversion program on July 14, 2010 and designated  
19 as a public safety risk.

20                                   **FIRST CAUSE FOR DISCIPLINE**  
21                                   **(Obtain and Possess a Controlled Substance in Violation of Law)**

22           16.    Respondent is subject to discipline pursuant to Code section 2761, subdivision (a), on  
23 the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (a), in that  
24 on or about May 30, 2006, by her own admission, while on duty as a registered nurse at Feather  
25 River Hospital, Paradise, California, Respondent committed acts, as follows:

26           a.    Respondent obtained the controlled substance Demerol by fraud, deceit,  
27 misrepresentation, or subterfuge for her own use by taking the drugs from hospital supplies in  
28 violation of Health and Safety Code section 11173, subdivision (a).

1       b.     Respondent possessed the controlled substance Demerol without lawful authority in  
2 violation of Code section 4060.

3                                   **SECOND CAUSE FOR DISCIPLINE**

4                                   **(Attempt to Obtain Controlled Substances)**

5       17.    Respondent is subject to discipline pursuant to Code section 2761, subdivision (d), in  
6 that Respondent; by her own admission, attempted to obtain controlled substances by fraud,  
7 deceit, misrepresentation, or subterfuge in violation of Code sections 2761, subdivision (a), 2762,  
8 subdivision (a), and Health and Safety Code section 11173, subdivision (a), as follows:

9       a.     On or about November 22, 2006, while on leave of absence from Feather River  
10 Hospital, Respondent entered the facility, gained access to the pain clinic room #286, which is a  
11 locked room, and attempted to obtain unknown controlled substances by attempting to take the  
12 drugs from the sharps container.

13       b.     Subsequent to Respondent's termination from the Feather River Hospital on  
14 December 4, 2006, Respondent entered the facility again on or about December 22, 2006, gained  
15 access to the hospital's cardiac catheter lab, which is a locked room, and attempted to obtain  
16 unknown controlled substances by attempting to take the drugs from the sharps container.

17                                   **THIRD CAUSE FOR DISCIPLINE**

18                                   **(Use Controlled Substances/Dangerous Drugs to an Extent**  
19                                   **or in a Manner Dangerous or Injurious)**

20       18.    Respondent is subject to discipline pursuant to Code section 2761, subdivision (a), on  
21 the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (b), in that  
22 Respondent used a controlled substance/dangerous drug as follows:

23       a.     On or about October 11, 2006 , while participating in the Board's Diversion Program,  
24 Respondent used the dangerous drugs Tramadol to an extent or in a manner dangerous or  
25 injurious to herself or others, as evidenced by a positive drug screening.

26       b.     On or about July 6, 2010, while participating in the Board's Diversion Program,  
27 Respondent used the controlled substance Fentanyl to an extent or in a manner dangerous or  
28 injurious to herself or others, as evidenced by a positive drug screening. Respondent was

1 subsequently terminated from the diversion program on July 14, 2010 as a public safety risk.

2 Respondent admitted to being an addict.

3 **PRAYER**

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 314726, issued to Janet  
7 A. Dawson, also known as Janet A. Doroh;

8 2. Revoking or suspending Public Health Nurse Certificate Number 72760, issued to  
9 Janet A. Dawson, also known as Janet A. Doroh;

10 3. Ordering Janet A. Dawson, also known as Janet A. Doroh to pay the Board of  
11 Registered Nursing the reasonable costs of the investigation and enforcement of this case,  
12 pursuant to Business and Professions Code section 125.3; and,

13 4. Taking such other and further action as deemed necessary and proper.

14  
15  
16 DATED: *September 07, 2012*

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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